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CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
8

9 United States of America,

CR 96-00162-01-PCT-SMM

10 Plaintiff,

11 vs.

12 Gerald Lee,

**ORDER**

13 Defendant.  
14 \_\_\_\_\_  
15

16 A detention hearing and a preliminary revocation hearing on the Petition on  
17 Supervised Release were held on November 10, 2008.

18 **THE COURT FINDS** that the Defendant has knowingly, intelligently, and  
19 voluntarily waived his right to a detention hearing and a preliminary revocation hearing and  
20 has consented to the issue of detention being made based upon the allegations in the Petition.

21 **THE COURT FURTHER FINDS** that the Defendant has failed to sustain his burden  
22 of proof by clear and convincing evidence pursuant to Rule 32.1(a)(6), FED.R.CRIM.P., that  
23 he is not a flight risk. *United States v. Loya*, 23 F.3d 1529 (9th Cir. 1994).

24 **IT IS ORDERED** that the Defendant shall be detained pending further order of the  
25 court.

26 DATED this 20<sup>th</sup> day of November, 2008.

27   
28 Lawrence O. Anderson  
United States Magistrate Judge